

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, OCTOBER 3, 2023, 6:30 P.M.**

Video Link: <https://www.youtube.com/watch?v=tsmaPndcPZQ>

First order of business: Call to Order and Pledge of Allegiance

Chairperson Fitzgerald called the meeting to order at 6:30 p.m. and led all in the Pledge of Allegiance.

Members present: Chairperson Kranick, Commissioner Dickenson, Commissioner Mihalovich, Commissioner Cummings, Commissioner Janusiak, and Plan Commission Chairperson Fitzgerald.

Also present: Engineer Tim Barbeau and Administrator Dan Green.

Supervisor Michels was excused.

Second order of business: Approval of the minutes of August 1, 2023.

Motion by Chairman Kranick to approve the minutes from August 1, 2023. *Seconded by Commissioner Dickenson. Motion passed 6-0.*

Third order of business: Communications (for discussion and possible action): None

Fourth order of business: Unfinished Business: NONE

Fifth order of business: New Business:

- A. Patricia Collins, W298 N2778 Locust Lane, Re: Consideration and possible action on a request to adjust a lot line on the Collins property to address an encroachment by an adjoining lot owner. Tax Key No. DELT 0774-033.

Engineer Barbeau explained this property is located on a private drive. Where the lot is to the northwest, the lot line looks to encroach on to the house. The engineer told the homeowner to get their own surveyor and get a survey done. The homeowners did the survey and found that the lot line was encroached upon by five to seven feet to the southeast. The two lot owners did a deed transaction to swap land, so there would not be an encroachment. This needs to be approved by the Plan Commission as a requirement in the Town Code. The engineer recommended approval.

Motion by Chairman Kranick to allow the land transfer to take place at W298 N2778 Locust Lane. Seconded by Commissioner Cummings. Motion passed 6-0.

- B. Tom Beaudry, 229 Lynndale Road, LLC, Re: Consideration and possible action on the re-approval of a Certified Survey Map to split his land at N47 W28229 Lynndale Road into two parcels.

Engineer Barbeau explained this property is located north of Hwy 16 and south of Hwy JK. This lot has Cassandra's Motorsports on the west side of the lot. There were potential development discussions on the eastern lot. The Town approved the CSM in August of last year which created two lots and a stormwater pond. The State Statutes require the CSM be recorded within a year of approval. Because we are outside of the one-year timeframe, it needs to be reapproved. Waukesha County realized that they never saw the CSM, but have jurisdiction in the southeast portion of the lot. The County will need to review the CSM as well. The engineer recommended approval subject to Waukesha County's approval.

Motion by Chairman Kranick to approve the Certified Survey Map subject to Waukesha County's comments, and receiving the shared driveway agreement. Seconded by Commissioner Dickenson. Motion passed 6-0.

- C. Leigh Peterson, W240N2385 Pewaukee Road, Re: Consideration and possible action on a request for an exemption to the height restrictions to construct a chimney and flue, and a cupola on a house (to a maximum height of 44'10"), and a cupola on an accessory structure (to a maximum height of 30'-1/2").

Engineer Barbeau explained this property is located along the lake, south of Franciscan Road. It is adjacent to Oakwood Grove Road, within the shoreland district. Waukesha County has a requirement that principal building height can only be 42 feet and 18 feet for accessory structures. Any additional height would require additional offsets of the same distance. The Shoreland zoning code says the Town can allow an exception to the height restrictions for ornamental towers. There is no limit to how high they can go. It is up to our Plan Commission on what height we would allow. This item will go back to Waukesha County with the Town's recommendation. They are asking for 44'10". The Town's code allows a height of 45'. If that house was outside of shoreland zoning, we would allow it. Our accessory building limit is 20 feet, but would allow an additional 10 feet. The County has pushed this back for the Town's recommendation. The engineer recommended allowing the exemption of 2'10" for the principal building and allowing 5'6" for the accessory building.

Motion by Chairman Kranick to approve the exemption to the height restrictions by 2'10" for the principal structure, and 5'6" for the accessory structure. Seconded by Commissioner Cummings. Motion passed 6-0.

Sixth Order of Business Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting: September 5, 2023.

Eighth Order of Business: Adjournment

Motion by Chairman Kranick to adjourn the October 3, 2023, Plan Commission meeting at 6:49 p.m. Seconded by Commissioner Dickenson. Motion passed 6-0.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer